



# 2015 LEGISLATION



**OKLAHOMA**

STATE DEPARTMENT *of* EDUCATION

— JOY HOFMEISTER —

STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION





2015 LEGISLATION

JOY HOFMEISTER

STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION  
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

Dear educator:

The Oklahoma State Department of Education is excited to provide this new annual resource to help you stay informed of state education legislation.

New laws that emerge from legislative session each year can be overwhelming. The impact on districts, schools and classrooms across Oklahoma can be significant or minimal, immediate or delayed, positive or troubling — but there is one constant: You need to know the law.

This book is not intended to be all-inclusive nor serve as legal advice. But **Red Banner: 2015 Legislation** will give you a general overview of this year's new laws and legislative actions affecting public education.

Thank you for your service to the children of Oklahoma. You already have so much to navigate, and an onslaught of new mandates doesn't make things any simpler.

Please remember that the Oklahoma State Department of Education is here to serve you. I hope to hear your questions, concerns and ideas. Never hesitate to get in touch.

Thank you,

A handwritten signature in blue ink that reads "Joy Hofmeister".

Joy Hofmeister  
State Superintendent of Public Instruction



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# H.B. 1331

RE: H.B. 1331

SUBJECT: Student Data Accessibility, Transparency and Accountability Act of 2013

House Bill 1331 becomes effective July 1, 2015. This bill amends the Student Data Accessibility, Transparency and Accountability Act of 2013 to include a military student identifier.

- Current law directs the State Board of Education to compile certain information regarding a state student data system and sets parameters around the use of such data.
- Section 1(C)(8): Requires the student data system to include a military student identifier by July 1, 2016.
- Section 1(B)(8): Defines “military student identifier” as a unique identifier for each student whose parent or guardian is a member of the Armed Forces of the United States, a reserve component of the Armed Forces of the United States or the National Guard, which will allow for the disaggregation of each category.
- Section 1(C)(3)(g): Allows for data collected on those military students identified in Section B to be transferred to the Department of Defense to assist in developing policy and initiatives to assist those children.

Should you have any questions related to this bill, please contact Mr. Duane Brown, Data Quality Analyst, at (405) 522-0285 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-168





# H.B. 1823

RE: H.B. 1823

SUBJECT: Oklahoma School Testing Program

House Bill 1823 becomes effective June 3, 2015. This bill directs the State Board of Education to conduct a study of the state's A-F school report card.

- Section 1(A)(2): Directs the State Board of Education to study the calculation metrics of all components of the A-F school report card. The State Board *may* make recommendations based on their study.
  - The purpose of the study is to ensure the evaluation system is clear, transparent, statistically trustworthy, credible and aligned with state assessments.
  - The State Board must seek certification from the Oklahoma State Regents for Higher Education that the recommendations satisfy the stated purpose. The Regents are directed to provide the State Board a description of the certification process and results, including any deficiencies they find with the study or recommendations.
  - The State Board is to submit a report to the Governor, Speaker of the House, President Pro Tempore of the Senate, Minority Leader of the House and Minority Leader of the Senate by December 31, 2015.

Should you have any questions related to this bill, please contact Dr. Cindy Koss, Deputy Superintendent for Academic Affairs and Planning, at (405) 522-6369 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1210.545





## S.B. 706

RE: S.B. 706

SUBJECT: Oklahoma Teacher and Leader Effectiveness Evaluation System

Senate Bill 706 becomes effective July 1, 2015. This bill amends a variety of provisions related to the Teacher and Leader Effectiveness (TLE) evaluation system.

- Current law requires a system of evaluation for teachers and administrators that consists of both a qualitative component and a quantitative component, where both components are combined into one composite score to make up 100% of the evaluation. The composition of the quantitative component includes 35% for student academic growth and 15% for other academic measurements. The evaluation system is required to be fully implemented by the 2015-2016 school year.
- Section 2(A)(1): Evaluations in the 2014-2015 and 2015-2016 school years will be used for the purpose of collecting baseline data, and the use of student academic growth and other academic measurements as a portion of the quantitative component of evaluations is eliminated. Evaluations will only be based on the qualitative component for the 2014-2015 and 2015-2016 school years.
  - Beginning with the 2016-2017 school year, school districts are to fully incorporate both the qualitative and quantitative components of the TLE for evaluations at all school sites. It is no longer required that both the qualitative and quantitative components make up 50% of the evaluation. Instead each teacher and administrator will receive both a qualitative and quantitative rating.
- Section 2(A)(5): Career teachers who have received a rating of “superior” or “highly effective” on *both* the qualitative and quantitative components may be evaluated every two years.
- Section 2(E): Directs the State Board of Education, in consultation with the Teacher and Leader Effectiveness (TLE) Commission, to continue to study implementation of the evaluation system to ensure that it promotes reflection and professional growth.
- Section 2(H): Full implementation of TLE evaluations for the purposes of employment decisions will begin in the 2017-2018 school year.

- Section 3: After full implementation, a principal who has received “ineffective” on *both* the qualitative and quantitative components for two consecutive years cannot be reemployed by the school district. A principal who has received “ineffective” on *either* component for two consecutive years may be dismissed or not reemployed by the school district.
- Section 4: Requires a 5-tier rating system for both components of the evaluation system, consisting of superior, highly effective, effective, needs improvement and ineffective. A comprehensive remediation plan and instructional coaching is required for teachers receiving ratings of “needs improvement” or “ineffective” on *either* of the components.
  - Eliminates the requirement that the quantitative and qualitative component each make up 50% of one total evaluation. It also eliminates the requirement that the quantitative component consist of 35% for performance measures based on student academic growth and 15% for other academic measurements.
  - For the quantitative piece moving forward, student academic growth based on standardized data is to be used *as available*. For teachers in grades and subjects where there is no state-mandated assessment, performance measures are to be adopted by the State Board of Education.
- Section 4(B)(7): Local school district boards of education can choose from a list of reliable, research-based options approved by the State Board of Education for quantitative evaluation methods for teachers of non-tested grades and subjects. For those teachers who have at least one tested grade or subject can have up to 50% of their quantitative rating based on methods chosen from the list.
- Section 4(B)(9): School districts have the option of basing their evaluations solely on qualitative components for the first year for teachers who were previously employed by another public school district and teachers who have returned to employment at a public school district after retirement.
- Section 4(E): Directs the TLE Commission to make recommendations to the State Board of Education on research-based measures for the quantitative component of evaluations for teachers in grades and subjects with no state-mandated testing measure. The State Board must approve and publish the list by February 1, 2016.
- Section 5: A career teacher or probationary teacher who has received “ineffective” on *both* components for two consecutive years must be dismissed or not reemployed by the school district. A career teacher or probationary teacher who has received “ineffective” on *either* component for two consecutive years *may* be dismissed or not reemployed by the school district.

- A career teacher who has received “needs improvement” on *both* components for three consecutive years must be dismissed or not reemployed by the school district. A career teacher who has received “needs improvement” on *either* component for three consecutive years *may* be dismissed or not reemployed by the school district.
- A career teacher who has not averaged at least “effective” on *both* components over five years must be dismissed or not reemployed by the school district. A career teacher who has not averaged at least “effective” on *either* component over five years *may* be dismissed or not reemployed by the school district.
- Section 6: Directs the State Board of Education to promulgate rules for implementation.

Should you have any questions related to this bill, please contact Dr. Robyn Miller, Deputy Superintendent for Educator Effectiveness and Policy Research, at (405) 521-3332 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-101.3, 6-101.10, 6-101.13, 6-101.16, 6-101.22  
New Law at: 70 O.S. 6-101.32





# H.B. 1037

RE: H.B. 1037

SUBJECT: Oklahoma Open Records Act

House Bill 1037 becomes effective June 4, 2015. This bill amends the portion of the Open Records Act dealing with state licensure exams.

- Section 1: Amends the Oklahoma Open Records Act to allow for certain records to be kept confidential including any test forms, question banks and answer keys developed for state licensure examinations, but excluding test preparation materials and study guides.

Should you have any questions related to this bill, please contact Dr. Robyn Miller, Deputy Superintendent for Educator Effectiveness and Policy Research, at (405) 521-3332 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 51 O.S. 24A.5





# H.B. 1052

RE: H.B. 1052

SUBJECT: Oklahoma State Pension Commission

House Bill 1052 becomes effective August 20, 2015. This bill revises the makeup of the Oklahoma State Pension Commission.

- Current law establishes the Oklahoma State Pension Commission and requires the Commission to publish a quarterly report on the performance of the various pension systems, including the Teachers' Retirement System of Oklahoma. The current makeup of the Commission includes the State Auditor and Inspector or designee, the Director of the Office of Management and Enterprise Services (OMES) or designee, the State Treasurer or designee, a member of the Senate, a member of the House of Representatives, an appointee of the Governor with 10 years of banking experience, and an appointee of the Governor with 10 years of professional pension planning experience specifically with defined benefit plan designs.
- Section 1: Amends the makeup of the Commission by making the Senate member and the House member nonvoting members.
  - It requires the first Governor's appointee to have 10 years experience in the financial services industry, rather than banking.
  - It requires the second Governor's appointee to have 10 years experience in retirement planning, rather than professional pension planning, including demonstrated experience with retirement plan designs in general, rather than specific to defined benefit plan designs.

Should you have any questions related to this bill, please contact Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 74 O.S. 941

Helpful Statutory References: 74 O.S. 942





RE: S.B. 20  
SUBJECT: Teacher Certification

Senate Bill 20 becomes effective July 1, 2015. This bill would allow for the State Board of Education to award a teaching certificate to an individual with a valid out-of-state certificate.

- Section 1(F): Allows the State Board of Education to issue a teaching certification to a person who holds a valid out-of-state certificate for those subject areas and grade levels that most closely align with the out-of-state certificate.
  - An individual who has five or more years of successful teaching experience as a certified teacher in an accredited school is exempt from taking the competency examinations in those subject areas and grade levels recognized on the out-of-state certificate.
  - The individual must have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation (OSBI) on file, as well as a national criminal history record check. Once the State Board of Education has received the Oklahoma criminal history record check, they *may* issue a temporary certificate until receipt of the national fingerprint-based criminal history record check. The applicant is still responsible for the cost of the background checks.

Should you have any questions related to this bill, please contact Mr. Jeff Smith, Executive Director of Certification, at (405) 521-3238 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-190  
Helpful Statutory References: 74 O.S. 150.9





RE: S.B. 29  
SUBJECT: Teacher Certification

Senate Bill 29 becomes effective July 1, 2015. This bill specifies the process for renewing expired licenses and certificates issued by the State Board of Education.

- Section 1(A): Directs the State Department of Education to notify, in writing, individuals who hold a license or certificate issued by the State Board of Education that has expired on June 30 of that year. Notice is to be sent to the last-known address of the individual and the last-known school district where they were employed.
- Section 1(B): For individuals renewing their license or certificate by December 31 of the year it expired, the effective date will be July 1 of that year.
- Section 1(C): For individuals renewing their license or certificate after December 31 of the year it expired, the effective date will be date on which it was renewed, according to State Department of Education rules.
- Section 1(D): Caps processing fees for late renewals of licenses and certificates submitted by December 31 of the expiration year at 150% of the standard renewal fee for applications, and 200% of the standard renewal fee for applications submitted after December 31 of the expiration year.

Should you have any questions related to this bill, please contact Mr. Jeff Smith, Executive Director of Certification, at (405) 521-3238 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 6-108.1





# H.B. 1034

RE: H.B. 1034

SUBJECT: Oklahoma Charter Schools Act

House Bill 1034 becomes effective November 1, 2015. This bill amends the Oklahoma Charter Schools Act to allow for Indian tribes to sponsor charter schools.

- Current law specifically lists a variety of entities that are eligible to sponsor a charter school under the Oklahoma Charter Schools Act.
- Section 1(A)(8): Adds to the list authorized to sponsor a charter school, federally recognized Indian tribes, as long as the charter school is located within the former reservation or treaty area boundaries of the tribe on property held in trust by the Bureau of Indian Affairs.

Note: H.B. 1034 and S.B. 782 both amend the same portion of law, 70 O.S. 3-132, and as such, should be read together.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-132





## **S.B. 505**

RE: S.B. 505

SUBJECT: Charter Schools

Senate Bill 505 becomes effective August 20, 2015. This bill creates the “Statewide Virtual Charter School Board Revolving Fund.”

- Section 1: Creates a revolving fund for the Statewide Virtual Charter School Board in the State Treasury. It is to consist of all monies received by the Board from State Aid or any other state appropriation. Monies accruing to the fund may be budgeted and expended by the Statewide Virtual Charter School Board for the purpose of supporting their mission.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 3-145.7

Helpful Statutory References: 70 O.S. 3-145.3





# S.B. 782

RE: S.B. 782

SUBJECT: Charter Schools

Senate Bill 782 becomes effective August 20, 2015. This bill amends portions of the Oklahoma Charter Schools Act to allow for school districts across the state to sponsor charter schools.

- Current law allows for certain entities to sponsor a charter school, and the Oklahoma Charter Schools Act applies to those charter schools formed and operated under the act.

## **Section 1: Eligible Sponsors**

- Section 1(A)(1): Eliminates the portion of current law that limits the capability to charter to those school districts with average daily membership (ADM) of 5,000 or more that is located in a county with a population of 500,000 or more. Instead, any school district in the state may now sponsor a charter within their geographical district boundaries. Other changes to those currently allowed to sponsor (Note: This is not a comprehensive listing of allowed sponsors):
  - Section 1(A)(2): The ability for a school district with a site that is identified as in need of improvement by the State Board of Education under the Elementary and Secondary Education Act (ESEA) is eliminated.
  - Section 1(A)(3): Technology center school districts may sponsor a charter if the charter is located in a district served by the technology center school district in which all or part of the district is in a county with a population of more than 500,000, eliminating the requirement that they also be in a school district that has an ADM of 5,000 or more.
  - Section 1(A)(4): Comprehensive and regional institutions of higher education now must be accredited in order to sponsor. Additionally, community colleges may charter if the charter school is located in a school district in which all or part of the school district is located in a county with a population of more than 500,000. The requirement that they also be in a school district that has an ADM of 5,000 or more is eliminated for both comprehensive/regional institutions and community colleges. Previously, only institutions with teacher education programs could sponsor, but that restriction is eliminated.

- Section 1(A)(8): Creates a new ability for the State Board of Education to sponsor a charter school in cases where the applicant has been denied by the local school district. Restricts the State Board to sponsoring no more than five charters per year each year for the first five years after August 20, 2015 in counties with a population of fewer than 500,000, and no more than one per school district per year. In order to supersede the local school district's decision the State Board must find evidence of all of the following:
  - There is a thorough and high quality charter school application according to Section 2 of this act.
  - There is a clear demonstration of community support for the charter school.
  - The basis for the denial by the school district is not supported by the greater weight of evidence and strength of the applicant.
- Section 1(B): Eligible non-school district sponsors are directed to give priority to charters that serve at-risk students or students in low-performing traditional schools.
- Section 1(C): Eligible non-school district sponsors are directed to give priority to applicants that have a record of operating a school or program with demonstrated academic success, organizational viability, and that have previously served students similar to those in the proposed application. Sponsors must consider the following factors:
  - Evidence of a strong, reliable record of academic success based primarily on student performance data, as well as financial and operational success,
  - A sound, detailed, well-supported growth plan,
  - Evidence of the ability to transfer successful practices, including cultural, organizational and instructional characteristics,
  - Evidence the program has the capacity to successfully replicate without putting its current operations at risk, and
  - A financial structure that ensures funds remain with and are used to the benefit of that school.
- Section 1(D-E): Allows for a conversion charter school under the Oklahoma Charter Schools Act, defined as a charter school created by converting all or any part of a traditional public school into a charter school, which may be operated by the school district board of education or by an independent operating board elected by and accountable to the school district board of education.

## Section 2: Application Process

- Section 2(B): Adds several new requirements to be included in the application for ALL charter school applicants, not just those to be sponsored by a school district. New requirements include (Note: This is not a comprehensive list of the application requirements):
  - Description that includes background information
  - A five-year financial plan, instead of a three-year plan
  - Description of minimum and maximum enrollment planned each year for the term of the contract
  - The proposed school calendar and sample daily schedule
  - **Description of the academic program aligned with state standards, unless otherwise exempt by state law**
  - Description of instructional design (learning environment, class size, curriculum overview, methodology)
  - **Plan for assessments to measure and report student progress and performance required by Section 3**
  - **Plans for identifying and serving students with disabilities, English language learners, and struggling students**
  - Description, funding and delivery of co-curricular and extracurricular programs
  - Plans and timelines for student recruitment and enrollment
  - Student discipline policies, including policies for special education students
  - **Organizational chart that includes lines of authority and reporting between governing board, staff and other related bodies that will play a role in management**
  - Descriptions and responsibilities of the governing board, leadership and management teams, and other entities on the organizational chart
  - Leadership and teacher employment policies
  - Proposed governing bylaws
  - Explanation of partnerships central to the operations and mission
  - Plans for transportation, food service and other significant operational services
  - Opportunities and expectations for parental involvement
  - Detailed start-up plan
  - Financial plan and policies including controls and audit requirements
  - Insurance coverage
  - Start-up and first-year budgets with clearly stated assumptions
  - Start-up and first-year cash-flow projections
  - Evidence of anticipated fundraising contributions
  - Sound facilities plan, and contingency plan

- **Requirement that the governing board meet at least quarterly in the state, and for those in counties with a population of fewer than 500,000, that a majority of members live in the geographic boundary of the sponsoring entity**
  - Requirement that the charter school will follow the Open Meeting and Open Records Acts.
- Section 2(D): Requires the physical location of a charter school sponsored by the State Board to be located within the original school district where the applicant applied.
  - Section 2(E): Applicants that are rejected by the local school district may appeal to the State Board for reconsideration, and the State Board must hear the appeal within 60 days.
  - Section 2(G): Those charter school applicants that have been rejected by a sponsor other than a school district may proceed to binding arbitration with the costs borne by the sponsor. Those charter school applicants rejected by a school district *may not* proceed to binding arbitration, but instead may be sponsored by the State Board.
  - Section 2(I): Sponsors have oversight of charter school operations through annual performance reviews and reauthorization. They may also solicit and evaluate applications, approve quality charters meeting identified educational needs and promoting diversity of educational choices, decline weak or inadequate applications, negotiate sound contracts, monitor performance and legal compliance as dictated by the contract, and determine whether the contract merits renewal, nonrenewal or revocation.
  - Section 2(K): Sponsors must develop and maintain policies and procedures for chartering consistent with recognized principles and standards for quality charters as established by the State Board of Education.
  - Section 2(L): Sponsors acting in their official capacity are exempt from civil and criminal liability for activities related to the charter.

### **Section 3: Contractual Requirements**

- Section 3(A): Contracts between charter schools and sponsors must contain a variety of items including (Note: This is not a comprehensive list of requirements):
  - Management and administration of the school, including that a majority of governing board members are residents of the State of Oklahoma and will meet at least quarterly in a public meeting within the school district boundaries, or within the State if the sponsor has multiple charter locations,
  - Description of the high standards of expectations and rigor, and assurance that the charter plans meet those standards at minimum,
  - Policies that require the school to be as equally free and open to all students as traditional public schools,

- Procedures that require enrolled students to be selected by lottery to ensure fairness if more students apply than there is capacity,
  - Policies that require the charter to be subject to the same academic standards as existing public schools, and
  - Description of requirements and procedures for the charter to receive funding in accordance with statutory requirements and guidelines for existing public schools.
- Section 3(B): Charter schools must execute a contract with a sponsor and have it approved in an open meeting in order to begin serving students. The sponsor has authority to establish pre-opening requirements and ability to monitor start-up progress.
  - Section 3(C): The sponsor is to monitor and evaluate the performance of the charter schools, and submit the data from Section 3(A) to the State Department of Education in the same format as is required for all public schools. The performance framework for each charter school must include:
    - Student academic proficiency, student academic growth, achievement gaps, student attendance, recurrent enrollment, graduation rates, postsecondary readiness, financial performance and sustainability, and governing board performance and stewardship.
  - Section 3(D): The sponsor cannot request any metric or data from a charter that it does not require of all school sites in its district or under its sponsorship, unless it is unique to the charter.
  - Section 3(E): A charter contract may include more than one school under the same sponsor, provided each school is a separate and distinct entity.

#### **Section 4: Termination and Non-renewal**

- Section 4 (A-F): Charter contracts will be for five years, and may be renewed for another five years as determined by the sponsor. The sponsor may grant the renewal based on specific conditions for improvement that must be met.
  - The sponsor must issue a charter school performance report and renewal application guidance to the charter school board at the beginning of the fourth year of operation that includes the performance record as is required by the Charter Schools Act and by the contract, and provide notice of any concerns that may jeopardize its renewal status. The school will have 45 days to respond to the performance report.

- The application guidance must allow for the charter school to present additional evidence for renewal, describe improvements undertaken or planned, and detail the plan for the next charter term. It also must refer explicitly to the criteria that will be used to guide the renewal decision, which must be based on the performance framework and consistent with the contract and requirements of state statute.
- When considering renewal, the sponsor must consider the evidence of the performance in conjunction with the percentage of at-risk students enrolled, grant renewal to schools that have achieved the expectations of the contract and applicable law, ensure the data used in the decision is made available to the school and public, and provide a public report summarizing the reasoning for the decision.
- If renewal is denied, or the sponsor decides to terminate the contract, binding arbitration may be pursued according to Section 2.
- Section 4(G): Beginning with the 2016-2017 school year, the State Board of Education is directed to identify those charter schools ranked in the bottom 5% of all public schools according to the annual performance reports published by the State Board under the Oklahoma School Testing Program.
  - At the time of charter renewal, a sponsor may choose to close a charter school if the site is identified as being among the bottom 5% of all public schools based on an average of the current year and the two prior operating years.
  - If there is a change in the score of the charter site that would result in the site not being ranked in the bottom 5%, then the sponsor is to use the higher of the two rankings.
  - If a sponsor chooses to not close a site that is in the bottom 5% of all public schools per Section 4(G), then the sponsor must appear before the State Board to explain its decision. The State Board may vote to uphold or overturn the decision of the sponsor. If overturned, the State Board may transfer the sponsorship, order the closure of the school at the end of the school year, or order the reduction of the administrative fee collected by the sponsor effective at the beginning of the month following the hearing.
  - A charter school that is closed by the State Board may not be granted a charter by any other sponsor.
  - A school designed by the State Department of Education to implement an alternative education program may not be closed.

- In consideration of closing a charter school, the State Board must consider the enrollment of students with special challenges, including drug and alcohol addiction, prior withdrawal from school, prior incarceration and other special circumstances; if the purpose of the charter is to serve a high-mobility population; annual improvement of the students enrolled compared with the performance of students enrolled the previous year; and if the result of closure would likely send a majority of students back to public schools with lower academic achievement.
- If the State Board has closed or transferred sponsorship of at least 25% of the charter schools under one sponsor, the authority of that sponsor may be suspended, until the State Board determines otherwise.
- Section 4(H): If a sponsor terminates a contract or the charter is closed, the following protocol is to be followed:
  - The sponsor must meet with the governing board and leadership within two calendar weeks to establish a transition team that will attend to the closure of the school including, the transfer of students, student records and remaining funds,
  - The sponsor and transition team must:
    - Communicate regularly and effectively with families and staff regarding their options and risks,
    - Ensure the current instruction of students enrolled continues for the remainder of the school year, and
    - Ensure all necessary notifications are sent to agencies, employees, insurers, contractors, creditors, debtors and management organizations.
  - The governing board must continue to meet as necessary to wind down school operations.
- Section 4(I): Sponsors must develop revocation and nonrenewal processes to include timely notification of the prospect of revocation or nonrenewal, and the reasons for possible closure, allow a reasonable amount of time for response, provide an opportunity to submit documents and give testimony in a public hearing to challenge the closure, allow the charter to access representation, permit recording of the proceedings, allow time for deliberation and require a final determination to be made in writing to the school.
- Section 4(J): If a sponsor revokes or does not renew a charter, they must adopt a clearly stated resolution as to the reasons for their decision.

- Section 4(K): Before a sponsor can issue a charter to a governing body that has had its charter terminated or not renewed, the sponsor must request to have the proposal reviewed by the State Board at a hearing. The sponsor must present information that the new proposal is substantively different in the areas of deficiency identified by the previous sponsor. The State Board will either approve or deny the proposal. If denied, no sponsor may issue a charter to that governing body in the future.

### **Section 5: Enrollment**

- Section 5(E): A sponsor may not restrict the number of students a charter can enroll. The governing body will annually determine the capacity of the charter school based on the ability to facilitate academic success and achieve the other objectives specified in the contract to not exceed the capacity of the facility.

### **Section 6: Funding**

- Section 6(D): A charter may reserve ANY unexpended funds, including state and local funds, for future purposes. Governing bodies of charter schools cannot levy taxes or issue bonds; however, they may enter into private contracts to borrow money. The charter school is solely responsible for paying those debts, and neither the state nor sponsor is in any way responsible for the debt.

Note: S.B. 782 and H.B. 1034 both amend the same portion of law, 70 O.S. 3-132, and as such, should be read together.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-132, 3-134, 3-135, 3-137, 3-140, 3-142  
Helpful Statutory References: 70 O.S 1210.545



## **S.B. 292**

RE: S.B. 292

SUBJECT: Modifying Definitions in the Oklahoma Children's Code

Senate Bill 292 becomes effective November 1, 2015. This bill adds a definition for "failure to protect" to the Oklahoma Children's Code.

- Section 1(24): Defines "failure to protect" as failure to take reasonable action to remedy or prevent child abuse or neglect, and includes the conduct of a non-abusing parent or guardian who knows the identity of the abuser or the person neglecting the child, but lies, conceals or fails to report the child abuse or neglect or otherwise take reasonable action to end the abuse or neglect.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 10A O.S. 1-1-105





# S.B. 511

RE: S.B. 511

SUBJECT: Homeless Children

Senate Bill 511 becomes effective July 1, 2015. This bill expands the purview of the Oklahoma Commission on Children and Youth to include services for homeless children and youth. It also requires an annual report regarding child and youth homelessness and those at risk for homelessness.

- Section 1(B): Directs the Oklahoma Commission on Children and Youth (OCCY) to include in its annual report to the Governor, Legislature, Supreme Court, and chief administrative officer of each agency affected by the report, activities of the Commission and recommendations for further development and improvement of services for homeless children and youth.
  - The report should identify and establish outcomes, goals and priorities for services for homeless children and youth, and show previous and current expenditures for state and state-supported services to homeless children and youth.
- Section 2(A): Directs the Office of Planning and Coordination for Services to Children and Youth Steering Committee to:
  - Review data and propose policy on the issue of child homelessness, and
  - Update the Legislature on existing programs to reduce child homelessness, including programs administered or financed by any agency of the state, nonprofit and private-sector organizations.
- Section 2(B): The Steering Committee must examine:
  - State trends in the number of children who are homeless or are at risk of becoming homeless,
  - The state's role in providing services to those children,
  - State policy regarding homeless children and youth, and
  - Existing services, resources, and capacity including the availability of publicly or privately provided resources to children and youth who are homeless or are at risk.

- Section 2(C): The Steering Committee is to submit an additional report of the items in this section to the President Pro Tempore of the Senate and Speaker of the House due by December 31, 2015, and annually thereafter.

Should you have any questions related to this bill, please contact Dr. Gloria Bayouth, Executive Director of Federal Programs, at (405) 522-3249 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 10 O.S. 601.9

New Law at: 10 O.S. 601.6c



## **H.B. 1330**

RE: H.B. 1330

SUBJECT: High School Graduation Requirements

House Bill 1330 becomes effective July 1, 2015. This bill amends the graduation requirements for certain students transferring from out of state.

- Current law requires that students have a ½ unit or set of competencies of Oklahoma History in order to graduate from an Oklahoma public high school.
- Section 1(C): Requires school district boards of education to waive the Oklahoma History high school graduation requirement for children of military families, defined in the Interstate Compact on Educational Opportunity for Military Children as “a school-aged child(ren), enrolled in kindergarten through twelfth grade, in the household of an active duty member,” who have transitioned with the military from another state and already satisfactorily completed a similar state history class in another state.
  - Requires the State Board of Education to promulgate rules by December 1, 2015 to implement this requirement.

Should you have any questions related to this bill, please contact Ms. Melissa White, Executive Director of Counseling/ACE at (405) 521-3549 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 11-103.6f

Helpful statutory references: 70 O.S. 11-103.6, 70 O.S. 510.1





RE: S.B. 50  
SUBJECT: Agriculture Education

Senate Bill 50 becomes effective July 1, 2015. This bill amends the grades in which agriculture education programs can be offered.

- Current law states that agriculture education programs are limited to students in grades eight through twelve.
- Section 1(A): States that agriculture education programs are designed for junior high and high school students, grades eight through twelve, and removes the language limiting those programs to those specific grades. Therefore, agriculture education programs could be offered in grades 7 and below, or students 7<sup>th</sup> grade and below could participate in agriculture education programs as deemed appropriate by the local school district.

Note: S.B. 50 and H.B. 1423 both amend the same portion of law, 70 O.S. 14-108.2, and as such, should be read together.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 14-108.2





## **S.B. 136**

RE: S.B. 136  
SUBJECT: Online Education

Senate Bill 136 becomes effective August 20, 2015. This bill amends the duties of the Statewide Virtual Charter School Board to include reviewing and publishing recommended supplemental online courses.

- Section 1(A): Directs the Statewide Virtual Charter School Board to publish a list of supplemental online courses that are high quality options and are aligned with subject matter standards adopted by the State Board of Education.
  - Emphasis should be placed on science, technology, engineering and math (STEM) courses, foreign language and advanced placement courses.
  - Local school districts are not required to choose from this list.
- The Statewide Virtual Charter School Board is authorized to work with the Office of Management and Enterprise Services (OMES) to negotiate a state rate for school districts for the certified supplemental online courses.

Should you have any questions related to this bill, please contact Dr. Rebecca Wilkinson, Executive Director for the Oklahoma Statewide Virtual Charter School Board, at (405) 522-0717 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-145.3

Helpful Statutory References: 70 O.S. 11-103.6





## S.B. 630

RE: S.B. 630

SUBJECT: Reading Sufficiency

Senate Bill 630 becomes effective July 1, 2015. This bill amends the Reading Sufficiency Act to extend the provisions of the Student Reading Proficiency Teams and expands the provisions to those students scoring Limited Knowledge on the OCCT.

- Section 1: Clarifies that students in kindergarten through third grade must be assessed using a screening instrument at the beginning and end of each school year. Screening instruments are approved by the State Board of Education and must measure phonemic awareness (changed from phonological), phonics, reading fluency, vocabulary and comprehension. Spelling has been eliminated as a requirement for screening instruments.
  - Students in first and second grade who are not reading at the corresponding grade level, as measured by a screening instrument, are entitled to “individualized” remediation, until the student is reading on grade level.
  - A Student Reading Proficiency Team (SRPT) is required to develop a plan of “individualized remediation.” The team is to include the parent/guardian, the student’s teacher who is responsible for reading instruction for the current academic year, the student’s teacher who is responsible for reading instruction for the upcoming year and a certified reading specialist, if available.
- Section 1(H): Clarifies that any student in 1<sup>st</sup>-3<sup>rd</sup> grade who is reading at a third-grade level, as measured by a screening instrument, is exempt from possible retention under the provisions of the Reading Sufficiency Act (RSA).
- Section 1(H)(4): Extends the provisions of the Student Reading Proficiency Team (SRPT) through the 2017-2018 school year.
  - For the 2015-2016 school year, third-grade students who have not already been shown to be reading at a third-grade level, and who score “unsatisfactory” on the *reading portion* of the third-grade reading Oklahoma Core Curriculum Test (OCCT) may be evaluated for “probationary promotion” by the SRPT.
  - For the 2016-2017 and 2017-2018 school years, third grade students who have not already been shown to be reading at a third-grade level, and who score “unsatisfactory” OR “limited knowledge” on the *reading portion* of the third-grade reading OCCT may be evaluated for “probationary promotion.”

- Note: In order for students' scores on only the *reading portion* of the OCCT to be used for purposes of RSA, the State Department of Education will partner with the assessment company to ensure the reading portion of the OCCT can be isolated.
- SRPT's created for the purpose of evaluating students for "probationary promotion" will include the parent/guardian, the student's teacher who is responsible for reading instruction for the current academic year, the student's teacher who is responsible for reading instruction for the upcoming year and a certified reading specialist. For these teams the certified reading specialist is NOT optional.
- The SRPT's are no longer required to include the school principal; however, both the principal and the district superintendent must approve any recommendation for "probationary promotion."
- Section 1(H)(5): Clarifies that beginning in 2016-2017, students who score below proficient on the *reading portion* of the third-grade reading OCCT, do not qualify for a good cause exemption, and are not approved for "probationary promotion," must be retained.
- Section 1(H)(8): Clarifies that the "reading portion" of the third-grade reading OCCT includes reading comprehension and vocabulary for purposes of promotion and retention decisions under RSA.
- Section 1(I): Current law requires that the parent of a student who is not reading at the appropriate grade level be notified in writing of the following information:
  - That the student has been identified as having a substantial reading deficiency,
  - A description of the current services being provided,
  - A description of proposed supplemental instructional services and supports,
  - That the student will not be promoted to fourth grade if the reading deficiency is not remediated by the end of third grade and no other exemptions are met,
  - Strategies for parents to help their child succeed in reading,
  - That the OCCT third-grade reading test is only the initial determinant and other opportunities for promotion are available, and
  - The district's policy for mid-year promotion.
  - Added to this list are "a description of the current services that are provided to the student pursuant to a conjoint measurement model such that a reader and a text are placed on the same scale," which is interpreted to mean a Lexile score; and the grade-level performance score of the student.

- Section 1(N)(4): Allows for a student to be promoted at mid-year, prior to November 1, if they demonstrate proficiency in reading at the third-grade level on a screening instrument from the list approved by the State Board of Education.
- Section 1(O): Clarifies that district Intensive Acceleration Classes as part of the Reading Enhancement Acceleration Development (READ) Initiatives, be targeted to students who scored below proficient on the third-grade reading OCCT and were retained.

Should you have any questions related to this bill, please contact Dr. Cindy Koss, Deputy Superintendent for Academic Affairs and Planning, at (405) 522-6369 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1210.508C





# H.B. 1154

RE: H.B. 1154

SUBJECT: National Criminal History Record Check

House Bill 1154 becomes effective November 1, 2015. This bill changes requirements for background checks and fingerprinting for certain new employees.

- Current law allows local boards of education to request a national criminal history record check and OSBI fingerprinting for any employee or prospective employee. Each local school board is directed to adopt rules regarding the felony search policy for that school district.
- Section 1(H): Exempts a “law enforcement officer” employed by an “employing agency” at the time of application for employment at a public school district to be exempt from the above stated requirements.
  - Section 1(D)(2): Defines “employing agency” as a political subdivision or law enforcement agency in this state.
  - Section 1(D)(3): Defines “law enforcement officer” as a peace or police officer who is certified by the Council on Law Enforcement Education and Training (CLEET).

Should you have any questions related to this bill, please contact Mr. Scott Chisholm, Director of Fingerprinting/Background Checks, at (405) 521-3608 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 5-142





# H.B. 1521

RE: H.B. 1521

SUBJECT: Compensation of Teachers

House Bill 1521 becomes effective November 1, 2015. This bill allows for certain types of teacher pay outside of their normal compensation package.

- Current law directs that a teacher's total compensation, defined as salary and fringe benefits, may not be decreased unless their hours and duties have been reduced. Additionally, if an employee organization has been recognized, the local board of education must meet with the organization to negotiate those wages, hours, fringe benefits and other terms of employment.
- Section 1(A): Directs that teacher compensation, as used above, provided by a school district, does not include one-time incentive pay or one-time retention incentive pay to a teacher returning for a second year.
- Section 2: Directs that any one-time incentive pay and one-time retention incentive pay as set forth in Section 1 are not to be subject to the negotiated agreement between the organization and the local board of education.

Should you have any questions related to this bill, please contact Ms. Heather Butler, School Personnel Records, at (405) 521-3360 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 18-114.9, 509.6

Helpful Statutory References: 70 O.S. 509.2





# H.B. 1749

RE: H.B. 1749  
SUBJECT: Payroll Deductions

House Bill 1749 becomes effective November 1, 2015. This bill prohibits a state agency from making payroll deductions on behalf of a collective bargaining organization.

- Section 1: Prohibits a state agency from making payroll deductions for membership dues in any public employee association or organization or professional organization that collectively bargains on behalf of its membership.
  - “State agency” includes, but is not limited to, any board, commission, institution, unit, division or house of the executive or judicial branches of state government, whether elected or appointed. It also includes public school districts, the Oklahoma State Regents for Higher Education, institutions of higher education and the State Board of CareerTech.
  - “Public employee” is defined to mean an elected or appointed officer or employee or contract employee of a state agency.

Should you have any questions related to this bill, please contact Ms. Nancy Hughes, Executive Director for Financial Accounting/OCAS/Audits, at (405) 521-2517 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 62 O.S. 34.70.1





# H.B. 2014

RE: H.B. 2014

SUBJECT: School Security

House Bill 2014 became effective upon the Governor's signature May 12, 2015. This bill amends the statutes on Unlawful Carry in Certain Places and Possession of Firearm on School Property to allow for certain school personnel to carry a handgun onto school property.

- Current law prohibits carry of any concealed or unconcealed handgun into any public or private school.
- Section 1(D): Allows a local board of education to adopt a policy to authorize a handgun to be carried onto school property by school personnel who have been designated by the board to do so.
  - The designated personnel must possess a valid armed security guard license or a valid reserve peace officer certification.
- Section 2(C)(7): Those designated personnel, who meet the aforementioned qualifications, may carry a handgun onto school property.
- Section 3: Additional provisions for local school boards who have adopted such a policy:
  - The school board may designate school personnel who already hold a handgun license to attend an armed security guard or reserve peace officer training. Participation in such program is to be voluntary, and the school board *may* pay for the training and associated expenses.
  - The school board maintains sole authority to determine who will attend and use such licenses on behalf of the school.
  - Designated personnel must ensure their firearm is either on their person or locked in a secured location at all times. Designated personnel, school boards and districts are immune from civil and criminal liability for any injury resulting from action by the designated school personnel.
  - School boards are authorized to enter into memorandums of understanding with local law enforcement entities to carry out the provisions of this law.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 21 O.S. 1277, 1280.1

New Law at: 70 O.S. 5-149.2

Helpful Statutory References: 59 O.S. 1750.5, 70 O.S. 3311



RE: S.B. 5  
SUBJECT: Schools

Senate Bill 5 becomes effective August 20, 2015. This bill changes language regarding immunity from liability for education employees' use of reasonable force.

- Current law prohibits a student from assaulting or attempting to injure an education employee or volunteer.
- Section 1(B): Adds that education employees are not liable for using necessary and reasonable force to control or discipline a student during their time at school or in transit to or from school, or at any other school function.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-149.7





## S.B. 711

RE: S.B. 711

SUBJECT: Teacher Due Process Procedures

Senate Bill 711 becomes effective July 1, 2015. This bill allows for local school districts to communicate with the State Board of Education when recommending a teacher be dismissed or not reemployed, if the recommendation could involve criminal charges that are sexual in nature.

- Current law requires that when a superintendent decides to recommend a teacher be dismissed or not reemployed, that recommendation must be made in writing and note the basis for that recommendation.
- Section 1(B): *When a recommendation* includes grounds that could form the basis of criminal charges sufficient to result in denial or revocation of a certificate due to sexual abuse or exploitation, the recommendation *must* also be forwarded to the State Board of Education.
  - Recommendations may only be forwarded to the State Board *after completion of due process* within the local school district or *after the teacher resigns*.
  - Local school districts are released from any liability for not forwarding a copy of the recommendation.
  - If the recommendation is forwarded to the State Board, a copy must also be forwarded to the teacher, who may provide additional information to the State Board.
- Section 1(C): Only school districts may request a copy of the recommendation from the State Board, and only if they are considering a teacher for new employment or for a currently employed teacher.
  - When such a request is made, the State Board must also send copies to the teacher in question.
- Section 1(D): The recommendations must be kept confidential, and are not subject to disclosure under the Open Records Act.
- Section 1(E): If the State Board or the local school district is subpoenaed to disclose the documents, the teacher in question must be notified immediately and given the opportunity to respond to the subpoena.

Should you have any questions related to this bill, please contact Mr. Jeff Smith, Executive Director of Certification, at (405) 521-3238 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-101.25

Helpful Statutory References: 70 O.S. 3-104(6), 6-101.26



# H.B. 1962

RE: H.B. 1962  
SUBJECT: Ad Valorem Taxation

House Bill 1962 becomes effective May 6, 2015. This bill clarifies the property to be included for the purposes of ad valorem taxation.

- Section 1: Amends the list of personal property to be included in the calculation of ad valorem taxes. Clarification is made to ensure “all goods, wares and merchandise, including oil, gas, and petroleum products severed from the realty” are to be included for the purposes of ad valorem calculations.
  - Note: “Severed realty” is real property that is converted to personal property after it has been severed or cut and made into a movable object.

Should you have any questions related to this bill, please contact Ms. Renee McWaters, Executive Director of State Aid, at (405) 521-3460 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 68 O.S. 2807





## H.B. 1963

RE: H.B. 1963

SUBJECT: Ad Valorem Tax Code

House Bill 1963 becomes effective May 6, 2015. This bill amends the calculation of ad valorem taxes that are under appeal.

- Section 1(E): Adds a protection under the Open Records Act for sworn lists of property and other documents produced by a taxpayer to the assessor or board of equalization *during discovery* in any ad valorem tax appeal in the Court of Tax Review or district court.
- Section 2(B): A total amount of taxes due, or value upon which the tax was assessed, cannot be increased by a final judgment in any tax appeal, except in the case where property was omitted.
- Section 3(F): If an appeal is timely filed by the taxpayer, then the amount due cannot exceed the amount *based upon the original value* submitted by the assessor. If an appeal is timely filed by the county assessor, then the amount due cannot exceed the *amount of taxes based upon the value assessed* by the county assessor.

Should you have any questions related to this bill, please contact Ms. Renee McWaters, Executive Director of State Aid, at (405) 521-3460, at (405) 521-2517 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 68 O.S. 2835, 2868, 2884





## **H.B. 2236**

RE: H.B. 2236

SUBJECT: Voluntary Compliance Initiative

House Bill 2236 becomes effective May 20, 2015. This bill allows for a Voluntary Compliance Initiative for unpaid taxes to be paid without penalty.

- Section 1: Reestablishes the Voluntary Compliance Initiative to allow the Oklahoma Tax Commission to set up a Voluntary Compliance initiative, subject to the availability of funds, whereby taxes owed to the state can be repaid without penalty, interest or other collection fees. The initiative is to begin September 14, 2015 and end November 13, 2015.
  - Taxes falling under this initiative include mixed beverage tax, gas tax, gross production tax, sales tax, use tax, income tax, withholding tax and privilege tax.
  - Any fees owed to a debt collection agency for delinquent taxes will not be waived.

Should you have any questions related to this bill, please contact Ms. Renee McWaters, Executive Director of State Aid, at (405) 521-3460 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 68 O.S. 216.3





# H.B. 2242

RE: H.B. 2242

SUBJECT: General Appropriations

House Bill 2242 becomes effective July 1, 2015. This bill is the general appropriations bill and makes appropriations to the various agencies of the executive, legislative and judicial departments. It appropriates \$2,484,873,132 to the State Board of Education.

- Sections 1-17 (pages 4-6, 37-39): Appropriates \$2,484,873,132 to the State Board of Education for Fiscal Year 2016 (FY16), which is the same amount as was appropriated in Fiscal Year 2015 (FY15), as follows:
- Financial Support of Public Schools (commonly known as the funding formula) is appropriated \$1,876,735,176, which is *\$451,176 more* than in FY15.
  - \$990,708,890 from the General Revenue Fund
  - \$728,835,560 from the Education Reform Revolving Fund
  - \$47,372,299 from the Common Education Technology Fund
  - \$3,800,000 from the Mineral Leasing Fund FY 16
  - \$1,602,510 from the Mineral Leasing Fund FY14
  - \$24,453,211 from the Oklahoma Lottery Trust Fund FY16
  - \$4,962,706 from the Oklahoma Lottery Trust Fund FY14
  - NOTE: \$75,000,000 from the Constitutional Reserve Fund is also appropriated for the Financial Support of Public Schools, but that appropriation is made in S.B. 847.
- Support of Public School Activities (commonly known as the line items) is appropriated \$130,178,226 from the General Revenue Fund, which is *\$8,739,932 less* than in FY15.
- Health Benefit Allowance (commonly known as Flexible Benefit Allowance/FBA) is appropriated \$416,023,565, which is *\$8,739,932 more* than in FY15, from the General Revenue Fund.
  - \$267,559,579 for Certified Employees
  - \$148,463,986 for Support Personnel
- Textbooks and Instructional Materials is appropriated \$33,000,000 from the Special Cash Fund, which is the same amount as was appropriated in FY15.

- Administrative and Support Functions of the State Department of Education is appropriated \$22,399,295 from the General Revenue Fund, which is the same amount as was appropriated in FY15.
- School Consolidation Assistance Fund is appropriated \$3,268,435, which is \$225,588 *less* than FY15.
  - \$551,412 from the Oklahoma Lottery Trust Fund FY14
  - \$2,717,023 from the Oklahoma Lottery Trust Fund FY16
- Oklahoma Teachers Retirement System Dedicated Revenue Revolving Fund is appropriated \$3,268,435, which is \$225,588 *less* than FY15.
  - \$551,412 from the Oklahoma Lottery Trust Fund FY14
  - \$2,717,023 from the Oklahoma Lottery Trust Fund FY16
- The FY16 Budget additionally lists other Dedicated Funds, Interagency Funds and Other Funds going to each state agency. For the State Department of Education, dedicated Funds equal \$2,882,683. Interagency Funds equal \$48,847. Other Funds, which include local and federal sources of revenue, equal \$5,725,637,249. Therefore, the total estimated amount of revenue available to Common Education is shown as \$8,213,441,911.
- Section 166: The Ad Valorem Reimbursement Fund is appropriated \$28,283,724 from the Special Cash Fund of the State Treasury. These monies will be transferred directly to the Ad Valorem Reimbursement Fund for the purpose of reimbursing counties for school districts that claim a loss of revenue due to tax exemptions. This section of the bill went into effect June 1, 2015 upon the Governor's signature.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law Not Codified



# H.B. 2244

RE: H.B. 2244

SUBJECT: Apportionment of Motor Vehicle Fees, Taxes and Penalties

House Bill 2244 becomes effective July 1, 2015. This bill caps apportionments from the Oklahoma Vehicle License and Registration Act.

- Current law apportions 36.20% of the fees, taxes and penalties collected according to the Oklahoma Vehicle License and Registration Act to school districts.
- Section 1(B): For each year after July 1, 2015, 36.20% will be apportioned to school districts. In any year where the amount apportioned exceeds the amount apportioned in FY15, the excess will go to the General Revenue Fund.

Should you have any questions related to this bill, please contact Ms. Renee McWaters, Executive Director of State Aid, at (405) 521-3460 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. 1104





## **S.B. 335**

RE: S.B. 335

SUBJECT: Ad Valorem Tax

Senate Bill 335 becomes effective November 1, 2015. This bill requires the Oklahoma Tax Commission to provide lists of pipeline property and values by taxing jurisdiction to county assessors.

- Current law directs pipeline companies doing business in the state to submit a sworn statement or schedule to the Oklahoma Tax Commission, to include things such as the right-of-way, main line length and size, and the proportion in each city, school district and county, complete lists of all pumping stations, storage depots, machine shops and other buildings along with their location in the city, school district and county, etc.
- Section 1(B): Requires the Tax Commission to provide each assessor, listed on the aforementioned report, schedules which detail descriptions and corresponding values by taxing jurisdiction of all pipeline company property listed to ensure it is reported for, and the resulting tax revenues are attributed to the correct city, school district and county where the taxable property is located.

Should you have any questions related to this bill, please contact Ms. Renee McWaters, Executive Director of State Aid, at (405) 521-3460 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 68 O.S. 2851





## **S.B. 498**

RE: S.B. 498

SUBJECT: Ad Valorem Tax

Senate Bill 498 becomes effective January 1, 2017 (the effective date is amended in S.B. 85 from January 1, 2016 to January 1, 2017). This bill ends the ad valorem tax exemption for wind energy manufacturers.

- The Oklahoma Constitution allows for certain “qualifying manufacturing concerns” that locate or expand manufacturing facilities within the state to be exempt from ad valorem taxes upon new, expanded or acquired manufacturing facilities for a period of 5 years. Current state law allows for electric power generation by means of wind, to be a manufacturing concern.
- Section 2(C)(8): Exempts entities engaged in electric power generation by means of wind from being a qualified manufacturing concern, effective January 1, 2017. No initial applications for exemption can be filed or accepted for such concern on or after January 1, 2018.

Should you have any questions related to this bill, please contact Ms. Renee McWaters, Executive Director of State Aid, (405) 521-3460 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 68 O.S. 2902





## **S.B. 847**

RE: S.B. 847

SUBJECT: State Board of Education

Senate Bill 847 becomes effective July 1, 2015. This bill appropriates money to the State Board of Education from the Constitutional Reserve Fund.

- Section 1: Appropriates \$75,000,000 from the Constitutional Reserve Fund (commonly known as the Rainy Day Fund) for the Financial Support of Public Schools (commonly known as the funding formula). This amount allows for the funding formula to receive the same amount for FY16 as it did in FY15 (see H.B. 2242).

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law Not Codified





# H.B. 1684

RE: H.B. 1684  
SUBJECT: Education

House Bill 1684 becomes effective November 1, 2015. This bill changes the makeup of professional development committees and adds new requirements for professional development and curriculum to include training on addressing child abuse and neglect.

- Current law requires local school boards to establish a professional development committee to provide programs for certified teachers and administrators. It specifies who is required to be on that committee, including that a school counselor be included at minimum once every four years. Current law also requires each local school site to establish a Safe School Committee.
- Section 1(B): Adds a new requirement to include school counselors or licensed mental health providers as permanent members of professional development committees.
- Section 1(D): A program must be offered to provide training on recognition of child abuse and neglect, recognition of child sexual abuse, proper reporting of suspected abuse and available resources, at a minimum of once each school year.
- Section 2: Adds suicide prevention to the list of things to be examined by Safe School Committees, and allows for the committees to study and make recommendations to the local school board regarding development of a rape or sexual assault response program.
- Section 3: Allows for public schools to establish developmentally and age appropriate abuse-prevention instructional programs for students and suggests the curriculum include identifying dangerous situations, personal boundary violations, refusing approaches/invitations, how to call for help, and what to do if abuse occurs.
  - It suggests the program be offered annually, have the capacity to be delivered by teachers, school counselors, prevention agency educators and other professionals, be evidence-based, include an evaluation component, be culturally sensitive and encourage parent involvement.
  - Does not require any student to participate if the parent chooses to withdraw their child from the program under the Parents' Bill of Rights.
- Section 4: Directs the Oklahoma Commission on Children and Youth and the State Department of Health to identify appropriate curriculum for schools to use.

- Section 5: Directs the State Board of Education, the Oklahoma Commission on Children and Youth and the State Board of Health to promulgate rules for implementation.

Should you have any questions related to this bill, please contact Ms. Joy Hermansen, Certified Prevention Specialist, at (405) 521-2106 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-194, 24-100.5

New Law at: 70 O.S. 1210.160, 1210.161; 10 O.S. 601.69

Helpful Statutory References: 25 O.S. 2001



## **S.B. 239**

RE: S.B. 239

SUBJECT: Chase Morris Sudden Cardiac Arrest Prevention Act

Senate Bill 239 becomes effective July 1, 2015. This bill creates the Chase Morris Sudden Cardiac Arrest Prevention Act.

- Section 1: Directs the State Department of Health (SDH) and the State Department of Education (SDE) to jointly publish on their websites information for students, parents and coaches about the warning signs of sudden cardiac arrest.
- Annually, prior to participation in an athletic activity, a student's parent/guardian must sign and return an acknowledgement of receipt/review of signs of sudden cardiac arrest.
  - "Athletic activity" is defined as any sport sanctioned and offered by a local school district in grades seven through twelve.
- A school may hold an informational meeting regarding the signs of sudden cardiac arrest.
- Any student who collapses or faints without a concurrent head injury while participating in an athletic activity must be removed from participation. Any student who is removed may not return until the student is cleared in writing by a "health care provider," defined as a person who is licensed, certified, or otherwise authorized by the laws of this state to practice a health care or healing arts profession or who administers health care in the ordinary course of business.
- Each year coaches are required to complete a sudden cardiac arrest training course offered by a provider approved by the SDH, and may not coach until completed.
- This bill does not create or eliminate any civil liability by the school or school employee.
- Section 1(K): Requires the State Board of Education and the State Board of Health to promulgate rules for implementation.

Should you have any questions related to this bill, please contact Ms. Tiffany Neill, Director of Science Education, at (405) 522-3524 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 24-156

Helpful Statutory References: 63 O.S. 3090.2





## **S.B. 262**

RE: S.B. 262

SUBJECT: Workplace Safety Training in Schools

Senate Bill 262 becomes effective August 20, 2015. This bill requires workplace safety training to be made available to schools.

- Section 1(A): Requires the State Department of Education to work with the Oklahoma Department of Labor to compile information regarding workplace safety training for grades 7-12 and make it available to local school districts.
  - The information must include the Department of Labor’s “Youth @ Work Talking Safety: A Safety and Health Curriculum for Young Workers.”
- Section 1(B): The Department of Education must encourage school districts to inform teachers, grade 7-12, about the importance of incorporating workplace safety training into their curriculum.
- Section 1(C): Requires the State Board of Education to promulgate rules for implementation.

Should you have any questions related to this bill, please contact Ms. Susan Pinson, Executive Director for Professional Development and Technical Assistance, at (405) 522-1835 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 11-103.6j





# H.B. 1687

RE: H.B. 1687

SUBJECT: Adult Education

House Bill 1687 becomes effective July 1, 2015. This bill would allow for other assessments to be used in addition to the General Education Diploma (GED) assessment for purposes of achieving a high school diploma.

- Sections 1-3: Changes multiple mentions of the General Education Diploma (GED) to “high school equivalency” diploma, in effect allowing for the State Board of Career and Technology Education to explore other contracts for assessments leading to a high school diploma.
- Section 2(B): Clarifies that the State Department of Education retains the responsibility for issuing diplomas to those who successfully complete a high school equivalency test, pursuant to criteria established by the State Board of Education.
- Section 3: Funds accruing to the “Adult Education Revolving Fund” must be used for oversight and management of the high school equivalency test.
- Sections 4-6: Changes multiple mentions of the General Education Diploma (GED) to “high school equivalency” diploma, for the purposes of those inmates in Department of Corrections custody, which could allow for inmates to take a paper/pencil exam at their correctional facility.

Should you have any questions related to this bill, please contact Ms. Melissa White, Executive Director of Counseling/ACE, at (405) 521-3549 Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-110.1, 14-132, 14-133; 57 O.S. 138, 510.7, 510.8





## **S.B. 137**

RE: S.B. 137

SUBJECT: Oklahoma Higher Learning Access Program Eligibility

Senate Bill 137 becomes effective July 1, 2015. This bill expands eligibility for students under the Oklahoma Higher Learning Access Program (OHLAP) if their parent(s) income is less than \$50,000 after removing military and disability income.

- Current law sets certain qualifications to determine whether or not a student is in financial need for purposes of the Oklahoma Higher Learning Access Program (OHLAP). A student is not eligible if, upon application, the income from taxable and nontaxable sources of the student's parent(s) exceeds \$50,000 per year.
- Section 1(D): Directs the Oklahoma State Regents for Higher Education to review the determination of financial qualification if the student's parent(s) income includes nontaxable military benefits or income received from the federal Social Security Administration due to the death or disability of the student's parent(s). If the income, excluding these sources, does not exceed \$50,000 per year, then the student is determined to have met the financial qualifications.

Should you have any questions related to this bill, please contact Ms. Melissa White, Executive Director of Counseling/ACE, at (405) 521-3549, or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 2605





## **S.B. 414**

RE: S.B. 414

SUBJECT: Higher Education

Senate Bill 189 becomes effective August 20, 2015. This bill expands the universities where the Oklahoma Tuition Equalization Grant can be used.

- Current law establishes the Oklahoma Tuition Equalization Grant Program to maximize use of existing educational resources and facilities within the state and authorizes the Oklahoma State Regents for Higher Education to award grants to Oklahoma undergraduate students.
- Section 1: States that eligible institutions include Bacone College, Family of Faith College, Mid-America Christian University, Oklahoma Baptist University, Oklahoma Christian University, Oklahoma City University, Oklahoma Wesleyan University, Oral Roberts University, Southern Nazarene University, Southwestern Christian University, St. Gregory's University, the University of Tulsa and Hillsdale Free Will Baptist College.
  - Directs that the State Regents are to review and take action on complaints concerning eligible institutions, and institutions must adhere to the complaint processes established by the State Regents.

Should you have any questions related to this bill, please contact Ms. Melissa White, Executive Director of Counseling/ACE, at (405) 521-3549 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 2632





## **S.B. 474**

RE: S.B. 474

SUBJECT: Income Tax Refund Donation

Senate Bill 474 becomes effective November 1, 2015. This bill requires a provision on each income tax return form to allow for a donation to a 529 College Savings Plan.

- Section 2: Directs that each state individual income tax return form after December 31, 2015, is to contain a provision to allow for a donation from a tax refund to be made to a specified Oklahoma College Savings Plan (529).

Should you have any questions related to this bill, please contact Ms. Melissa White, Executive Director of Counseling/ACE, at (405) 521-3549 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 68 O.S. 205

New Law at: 68 O.S. 2368.27





## **S.B. 763**

RE: S.B. 763  
SUBJECT: Foster Youth

Senate Bill 189 becomes effective November 1, 2015. This bill amends the Independent Living Act to require information on OHLAP to be provided to foster families.

- Section 1(G): Directs the Department of Human Services, in conjunction with the Oklahoma State Regents for Higher Education, to provide parents and legal guardians of foster youth with information on the Oklahoma Higher Learning Access Program (OHLAP), to include eligibility, application guidelines, academic requirements, and any other information required for participation in the program.

Should you have any questions related to this bill, please contact Ms. Melissa White, Executive Director of Counseling/ACE, at (405) 521-3549 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 10A O.S. 1-9-107





## **H.B. 1032**

RE: H.B. 1032

SUBJECT: Oklahoma Open Meeting Act

House Bill 1032 becomes effective November 1, 2015. This bill amends the portion of the Open Meetings Act dealing with executive sessions.

- Section 1(D): Directs that no landowner, real estate salesperson, broker, developer or any other person who could profit from a proposed transaction concerning real property under consideration by a public body in executive session can be present in the executive session unless they are under an existing agreement to represent the public body.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 25 O.S. 307





# H.B. 2119

RE: H.B. 2119  
SUBJECT: Public Contracts

House Bill 2119 becomes effective November 1, 2015. This bill allows for a contract bid period to be extended by the awarding public agency.

- Current law allows the governing body of an awarding public agency to extend the contract award period for an additional 15 days where state or local funds are involved or 90 days where federal funds are involved regarding construction of a public improvement.
- Section 1: Allows the Division or awarding public agency to extend a contract award period by no more than 120 days from the opening bid date upon mutual written agreement between the lowest responsible bidder and the awarding public agency.
  - “Public agency” is defined to mean the State of Oklahoma, and any county, city, town, school district or other political subdivision of the state, any public trust, any public entity specifically created by the statutes of the State of Oklahoma or as a result of statutory authorization therefor, and any department, agency, board, bureau, commission, committee or authority of any of the foregoing public entities.

Should you have any questions related to this bill, please contact Ms. Nancy Hughes, Executive Director of Financial Accounting/OCAS/Audits, at (405) 521-2517 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 61 O.S. 111  
Helpful Statutory References: 61 O.S. 102





## S.B. 312

RE: S.B. 312  
SUBJECT: Elections

Senate Bill 312 becomes effective January 1, 2016. This bill modifies the dates on which local elections, including school board elections, can occur.

- Current law requires county election boards to only schedule elections on Tuesdays.
- Section 1(B): Directs that local elections, including special elections, held in any county, school district, technology center school district, municipality or other political subdivision can only call an election on one of the following dates:
  - The second Tuesday of February in any year,
  - The first Tuesday of April in any year,
  - The same date as any regularly scheduled statewide state or federal election in an even-numbered year,
  - The second Tuesday of September in an odd-numbered year, and
  - The second Tuesday of November in an odd-numbered year.
- Section 1(C): Limits elections for any other purpose besides filling an elective office to:
  - The second Tuesday of January, February, May, June, July, August, September, October and November, and the first Tuesday in March and April in *odd-numbered years*.
  - The second Tuesday of January and February, the first Tuesday in March and April, the last Tuesday in June, the fourth Tuesday in August, and the first Tuesday after the first Monday in November of *even-numbered years*.
- Section 7(D): Allows for a special filing period for boards of education for school districts and technology center school districts, if necessary, to be scheduled not more than 20 days following the date the resolution is required to be submitted to the county election board.
- Section 8(B): If a board of education of a school district or technology school district does not fill a vacancy by appointment within 60 days, the board must call a special election to fill the unexpired term. The election date, must be on one of the dates set in Section 1, and the filing period must be as prescribed in Section 7(D).

Note: S.B. 312 and S.B. 399 both amend the same portion of law, 26 O.S. 3-101, and as such, should be read together.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 26 O.S. 3-101, 13A-109, 13A-110  
Helpful Statutory References: 11 O.S. 16-102



## **S.B. 340**

RE: S.B. 340

SUBJECT: Annual Audit Requirements for Interlocal Entities

Senate Bill 340 becomes effective November 1, 2015. This bill requires Interlocal Entities to file a report by a qualified actuary with the Insurance Commissioner.

- Current law requires any entity organized pursuant to the Interlocal Cooperation Act that insures an Oklahoma educational institution, and has received premiums or contributions of any amount for any kind of insurance that the Interlocal Entity transacts within a 12 month period, to have an annual audit by an independent CPA and file a report with the Insurance Commissioner within 180 days following the end of the fiscal year.
- Section 1: The report done by the independent CPA must contain several items. Added to this list is an unqualified opinion from the CPA that the audited financial report represents a fair presentation of the Interlocal Entity's financial position.
  - Such entities are required to file an actuarial opinion, prepared by a qualified actuary, with the Insurance Commissioner within 180 days following the end of the fiscal year. The opinion should certify the amount and adequacy of the entity's reserves for loss and loss adjustment expenses, including amounts for Incurred But Not Reported (IBNR) Claims, and the adequacy of the entity's premiums.
  - "Qualified actuary" is defined as an individual who is a member of the American Academy of Actuaries and who has met the Qualification Standards for Actuaries Issuing Statements of Actuarial Opinions in the United States promulgated by the American Academy of Actuaries.

Should you have any questions related to this bill, please contact Ms. Nancy Hughes, Executive Director of Financial Accounting/OCAS/Audits, at (405) 521-2517 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 36 O.S. 607.1





## **S.B. 399**

RE: S.B. 399  
SUBJECT: Elections

Senate Bill 399 becomes effective November 1, 2015. This bill changes the allowable filing periods for school board elections.

- Section 3(C): Requires that in the event any day of a candidate filing period occurs on a Saturday, Sunday or an official state holiday, that day of the filing period will be scheduled for the next business day.
- Section 3(E): Requires that any school district, technology center district, municipality, or other entity seeking a special election to fill a vacancy must schedule a candidate filing period of three days that occurs not more than 20 days from the date the resolution is required to be filed with the county election board.

Note: S.B. 399 and S.B. 312 both amend the same portion of law, 26 O.S. 3-101, and as such, should be read together.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 26 O.S. 3-101





## **H.B. 1150**

RE: H.B. 1150  
SUBJECT: Schools

House Bill 1150 becomes effective July 1, 2015. This bill removes private treatment facility from a list of entities that cannot be located near a school.

- Current law lists several entities that cannot be located within 1,000 feet of any public or private school.
- Section 1: Removes “private treatment facility” from this list.
  - Statute defines “treatment facility” as any facility that offers either inpatient, intermediate or outpatient treatment to any person suffering from alcohol or drug abuse, or alcohol- or drug-related problems, and is certified by the Board of Mental Health and Substance Abuse Services.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 43A O.S. 3-417.1  
Helpful Statutory References: 43A O.S. 3-403





## **H.B. 1460**

RE: H.B. 1460

SUBJECT: Regulating Possession of Knives

House Bill 1460 becomes effective November 1, 2015. This bill amends the state preemption statute to allow for schools to adopt a policy regulating possession of knives.

- Current law, under the State Preemption statute, states that for certain weapons a municipality or other legal entity may not adopt an ordinance or policy that is more strict than what the state has set forth. Currently, that list does not include knives.
- Section 1(A): Adds knives to the list of weapons in the preemption statute, and allows for any public or private school to create a policy to regulate possession of knives on school property and in any school bus or vehicle.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 21 O.S. 1289.24





## H.B. 1685

RE: H.B. 1685

SUBJECT: School Health and Safety

House Bill 1685 becomes effective August 20, 2015. This bill creates the 24/7 Tobacco-Free Schools Act.

- Section 3: Prohibits the use of tobacco products in or on any educational facility, including facilities where programs for early childhood education and grades k-12 are held. Additionally, it prohibits use in school vehicles and at any school-sponsored or school-sanctioned event or activity.
  - “Educational Facility” is defined as any property, building, permanent structure, facility, auditorium, stadium, arena, or recreational facility owned, leased or under the control of the school district or private school.
  - Educational facility does not include technology centers; however, Section 6 states that if they offer programs for early childhood or grades k-12, then tobacco products are prohibited in the building and on the grounds by all persons when an activity is being held. Chewing tobacco, smoking tobacco, tobacco product and school vehicle are also defined.
  - School districts are not prohibited from having more restrictive policies regarding tobacco products.
- Section 4(M): Reduces the punishment for violation from a misdemeanor to a citation and fine of not more than \$100.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 21 O.S. 1247; 63 O.S. 1-1522, 1-1523

New Law at: 70 O.S. 1210.211, 1210.212, 1210.213





# H.B. 1691

RE: H.B. 1691

SUBJECT: Boards of Education of School Districts

House Bill 1691 becomes effective July 1, 2015. This bill allows local school districts greater flexibility to contract for certain services.

- Section 1(G): Allows a local board of education to contract with a public or private entity to provide educational and administrative services for the school district.
  - This flexibility is provided only for those districts with an average daily membership (ADM) of 30,000 or more, where the district is located in a county having a population of more than 500,000 according to the latest Census data. This requirement limits this ability to the Oklahoma City and Tulsa school districts.
  - The contracted entity must be nonsectarian.
  - Contracted services may include instructional services in core and noncore academic subjects at one or more school sites within the district.
  - Service providers and their employees and all educational and administrative services provided are exempt from all statutes and rules relating to schools, boards of education and school districts to the same extent that a charter school is exempt under the Oklahoma Charter Schools Act.
  - Students who are provided services by a contracting entity at all times remain students of the school district and will be counted as such for purposes of attendance, funding and accountability.
  - Note: Contracts executed under this statute, regardless of the extent of services provided, does not make a school site a Charter School.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 5-117

Helpful Statutory References: 70 O.S. 3-136





## H.B. 2069

RE: H.B. 2069

SUBJECT: School District Residency of Children in Foster Care

House Bill 2069 becomes effective July 1, 2015. This bill amends the statute defining a child's legal residence for school purposes.

- Current law allows for a child's foster home to be used for purposes of residency for school.
- Section 1(A)(2): The foster parent may request that the residence of a child in foster care be changed to the district where the child resided prior to being placed in foster care or the school district in which the previous foster family home is located.
- Section 1(A)(6): Adds to the list of allowable legal residences, any [nonresidential] facility where a child has been admitted and is receiving on-site educational services.
  - On-site educational services includes partial hospitalization programs, day treatment programs and day hospital programs mean *nonresidential* settings in which school-age children are placed for psychiatric or psychological treatment which precludes their attendance at a regular public school.
- Section 2: Any student who is in the custody of the Department of Human Services in foster care, and is living with a student who has been granted a transfer, can attend the same school with the approval of the receiving district.
  - Allows for an exception for children living in foster care to be able to transfer more than once in any school year.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1-113, 8-101.2

Helpful Statutory References: 70 O.S. 3-104.7





## **S.B. 147**

RE: S.B. 147

SUBJECT: Patriot License Plate Revolving Fund Expenditures

Senate Bill 147 becomes effective May 12, 2015. This bill expands the permitted usage of fees accruing to the Patriot License Plate Revolving Fund.

- Current law establishes the Patriot License Plate Revolving Fund for the Military Department of Oklahoma to receive monies from the fee on such authorized license plates. Monies can be appropriated and budgeted for any deployment related purpose for members of the Oklahoma National Guard.
- Section 1(B): Expands the scope of what monies accrued to this fund can be spent for to include the production of historical documents, displays, videos, and books that capture the National Guard's involvement in overseas deployments and domestic operations within the United States for members of the Oklahoma National Guard, *Oklahoma public school libraries*, and civic leaders, as determined by the Adjutant General.

Should you have any questions related to this bill, please contact Ms. Timmie Spangler, Director of Gifted and Talented, Instructional Materials and Library, at (405) 521-3456 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. 1104.11





# H.B. 1044

RE: H.B. 1044

SUBJECT: State Employees

House Bill 1044 becomes effective August 20, 2015. This bill would allow for a state agency to establish an employee suggestion program.

- Section 1: Allows for any state agency employing more than 10 full-time employees to establish a State Employee Suggestion program to promote efficiency and effectiveness of government operations.
  - A state agency which implements an employee suggestion that results in direct cost savings to the agency of \$5,000 or more may give the employee a financial award. The award cannot exceed 20% of the cost savings, and an employee cannot receive more than one award in a single year. Agencies can implement the program as they deem appropriate.
  - Certain suggestions are not eligible including grievances, classification and pay, issues already under study, issues that are a result of an audit, budget or fiscal study, issues requiring legislation, or from a suggester that applies for a patent.
  - The Office of Management and Enterprise Services is directed to promulgate rules for implementation.
- Section 3 and Section 4: Eliminate the Committee for Incentive Awards for State Employees and its authority.

Should you have any questions related to this bill, please contact Mr. Lance Nelson, Chief of Staff, (405) 521-4516 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 74 O.S. 4111, 4115A, 4119

New Law at: 74 O.S. 1604

Repealed: 74 O.S. 4112, 4113, 4116, 4117, 4118, 4120





## **S.B. 189**

RE: S.B. 189

SUBJECT: State Budgeting

Senate Bill 189 becomes effective July 1, 2015. This bill creates the Oklahoma Performance Informed Budget and Transparency Act of 2015.

- Current law directs that each state agency is to present an itemized request showing the amount needed for the upcoming fiscal year to the Office of Management and Enterprise Services (OMES) and the state Legislature. Budgets are to be presented to include zero-based budgeting techniques.
- Section 2: The budget presented by each agency for each fiscal year must include an analysis of existing and proposed programs using performance-informed budgeting techniques, instead of zero-based budgeting techniques.
- Section 3: Directs the Legislative Oversight Committee on State Budget Performance to implement an ongoing evaluation review procedure based on performance-informed budgeting, instead of zero-based budgeting techniques.
  - Current law details the Legislators that will serve on the Legislative Oversight Committee. The committee can function as a committee even when the Legislature is not in session. The duties of the committee can be performed by the Appropriations Committee chair in the Senate and the Appropriations and Budget Committee chair in the House of Representatives.
- Section 4: Requires any statutory entity that is under review for sunset to present a performance-informed operating budget review and summary, instead of a zero-based budget.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 62 O.S. 34.36, 34.96; 74 O.S. 3914





## **S.B. 549**

RE: S.B. 549  
SUBJECT: State Officers

Senate Bill 549 becomes effective August 20, 2015. The Governor vetoed S.B. 549 on May 8, 2015, which was overridden by the Legislature on May 20, 2015. This bill decouples the salaries of statewide elected officials with the salaries of judicial officials.

- Current law sets the salaries of all statewide elected officials, including the State Superintendent of Public Instruction, in accordance with salaries for judicial officials.
- Section 1: Eliminates all language that connected statewide elected officials' salaries to judicial salaries. Instead, beginning in January 2016, the salary for each statewide elected official is set at the amount that they are currently receiving in 2015. That amount for the State Superintendent of Public Instruction is \$124,373.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 74 O.S. 250.4





## S.B. 612

RE: S.B. 612

SUBJECT: Governor's Council for Workforce and Economic Development

Senate Bill 612 becomes effective November 1, 2015. This bill amends the makeup of the Governor's Council for Workforce and Economic Development in accordance with the federal Workforce Innovation and Opportunity Act (WIOA).

- Current law establishes the Governor's Council for Workforce and Economic Development to guide the development of a comprehensive and coordinated workforce development system for the state and monitor its operation. Membership of the council includes the Secretary of Education, the Chancellor of the Oklahoma State Regents for Higher Education, the Director of Career and Technology Education and the State Superintendent of Public Instruction.
- Section 1(B): A majority of the council must come from private sector employers, including owners of businesses, executives, operating officers, etc., that provide employment in high-quality, work-relevant training and development in in-demand industries in the state.
  - The Secretary of Education, the Chancellor of the Oklahoma State Regents for Higher Education, the Director of Career and Technology Education and the State Superintendent of Public Instruction, among others, are removed from the membership of the council and made to be ex-officio members serving at the discretion and pleasure of the governor to provide expertise and agency information to the council.

Should you have any questions related to this bill, please contact Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 74 O.S. 5003.10d





# H.B. 1268

RE: H.B. 1268

SUBJECT: Passport to Financial Literacy Act

House Bill 1268 becomes effective July 1, 2015. This bill amends the Passport to Financial Literacy Act relating to students with the most significant cognitive disabilities and English language learners.

- Current law requires students to complete a curriculum on personal financial literacy in order to graduate from a public high school in Oklahoma.
- Section 1(E): Amends the requirements for those students with the most significant cognitive disabilities (MSCD) who have an Individualized Education Program (IEP) to allow for completion by (1) receiving substantive and substantial instruction in life-skills curriculum, and (2) demonstrating knowledge by alternate measures as required by their IEP.
- Section 1(G)(4): Requires the State Department of Education to provide online resources and materials to help English language learners understand and use the personal financial literacy information.
- Section 1(K): Suggests that school districts assign the responsibilities for personal financial literacy to the same teacher or teachers on a continuing basis in order to ensure high-quality consistent instruction.

Should you have any questions related to this bill, please contact Mr. Kelly Curtright, Director of Social Studies Education and Personal Financial Literacy Education, at (405) 522-3523 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 11-103.6h





## H.B. 1693

RE: H.B. 1693

SUBJECT: Oklahoma Equal Opportunity Education Scholarship Act

House Bill 1693 becomes effective January 1, 2016. This bill amends the tax credits that can be claimed under the Oklahoma Equal Opportunity Education Scholarship Act and expands the program to include additional special needs students and early childhood programs.

- Current law allows for taxpayers to make contributions to eligible scholarship-granting organizations and eligible educational improvement grant organizations to receive a tax credit of 50% of their contribution, up to \$1,000 for individuals, \$2,000 for married couples, and \$100,000 for corporations and partnerships. If a donor commits in writing to donate the same amount of money for two additional consecutive years, they will receive a tax credit of 75% of their contribution, not to exceed the established limits.
  - “Scholarship-granting organization” refers to nonprofit entities who distribute periodic scholarship payments to eligible students, spend 90% or more of their annual revenue on scholarships, make a portion of their grants to low-income students, ensure portability for their scholarships and are registered with the Oklahoma Tax Commission as such.
  - “Educational improvement grant organization” refers to nonprofit entities who give at least 90% of their annual receipts as grants to schools for innovative educational programs.
- Section 1(B)(2) and Section 1(C)(2): Changes the credit as described above to allow for any taxpayer who commits in writing to give the same amount for one additional year to receive a tax credit of 75% of their contribution, not to exceed the established limits.
- Section 1(G)(2): Amends the definition of “eligible special needs student” to include a child who is provided services through SoonerStart, and who during transition is determined to be eligible for school district services. A child diagnosed as having a significant learning disability who has been approved by the scholarship-granting organization may be considered as well.
  - Current law provides that eligible special needs students may receive an educational scholarship of up to \$25,000 to cover tuition, fees and transportation costs for a qualified school for special needs accredited by the State Board of Education.

- Section 1(G)(3)(b): Adds to the definition of “educational scholarships,” scholarships of up to \$5,000 or 80% of the average per-pupil expenditure, as determined by the National Center for Education Statistics (NCES), to cover costs of a qualified school that does not charge tuition, enrolls special populations of students and is accredited by the State Board of Education.
- Section 1(G)(5) and Section 1(G)(6): Amends the definitions of “qualified school” and “qualified school for eligible special needs students” to include early childhood programs, including schools that provide educational programs for three-year-olds or prekindergarten educational programs for four-year-olds.
- Section 1(G)(11): Amends the definition of “early childhood education program” to include special education programs for eligible special needs students who are three years old or prekindergarten.

Should you have any questions related to this bill, please contact Dr. Rene Axtell, Assistant State Superintendent of Special Education Services, at (405) 521-3351 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 68 O.S. 2357.206



# H.B. 2157

RE: H.B. 2157

SUBJECT: Family Support Accountability Act

House Bill 2157 becomes effective November 1, 2015. This bill adds additional requirements for any agency that is implementing a home-visiting program that is state-funded or administered.

- Section 2: Departments who provide home-visiting services must to include a framework for service delivery and accountability that promotes a continuum of care for those families at greatest risk for adverse childhood outcomes, face-to-face visits by specially trained parent educators, and works in partnership to maximize the opportunities for families to receive services that fit their needs.
- Home-visiting programs should achieve two or more specified outcomes: improve prenatal, maternal, infant or child health outcomes; reduce entry into the child welfare system; improve positive parenting and relationship skills; improve parental self-sufficiency, including increased employment and educational attainment; improve children's readiness to succeed in school; and improve children's social-emotional, cognitive and language and physical development.
  - Departments may adopt and promulgate rules by which programs will operate.
  - “Departments” are defined to include any state department or agency implementing a home-visiting program.
  - “Home-visiting program” is defined as a state-funded or administered program that provides services to families of young children that elect to participate, connects families to additional services, promotes child well-being, among other things.
  - The Oklahoma program of parent education (formerly Oklahoma Parents as Teachers per S.B. 285 of 2015) administered by the State Department of Education qualifies as a home-visiting program.
- Programs should collaborate with community partners, researchers, etc. to share best practices.

- Programs should collaborate with the Early Childhood Advisory Council to develop an outcomes measurement plan to monitor implementation and submit that plan by January 1, 2016 to the Governor, Legislature, Oklahoma Commission on Children and Youth and the Early Childhood Advisory Council. Plans are to be updated and submitted every five years.
- Beginning December 1, 2017, departments are to allocate resources to the Early Childhood Advisory Council to submit an annual outcomes report to the Governor and Legislature. The plan will include data regarding cost per family, number of families, demographic data, and number and type of programs that have been funded.

Should you have any questions related to this bill, please contact Dr. Rene Axtell, Asst State Superintendent for Special Education, at (405) 521-4873 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 10 O.S. 601.80, 601.81

Helpful Statutory References: 70 O.S. 3-162, 70 O.S. 10-105.3



## **S.B. 162**

RE: S.B. 162

SUBJECT: School Testing Procedures

Senate Bill 162 becomes effective July 1, 2015. This bill directs the State Board of Education to promulgate rules regarding assessments for students with the most significant cognitive disabilities.

- Section 1: Directs the State Board of Education, in consultation with experts, to provide for exemptions from those tests mandated by the State of Oklahoma for students with the most significant cognitive disabilities (MSCD) who are also on an Individualized Education Program (IEP) and are assessed under the Oklahoma Alternate Assessment Program (OAAP).
  - Requires the State Board of Education to promulgate rules.
  - Under Oklahoma's ESEA Flexibility Waiver, Oklahoma may not exempt any students from those tests that are federally mandated.

Should you have any questions related to this bill, please contact Dr. Rene Axtell, Asst State Superintendent for Special Education, at (405) 521-4873 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 1210.508-3





## **S.B. 285**

RE: S.B. 285  
SUBJECT: Schools

Senate Bill 285 becomes effective November 1, 2015. This bill changes the name of the Oklahoma Parents as Teachers (OPAT) program to a program of parent education.

- Current law requires the State Department of Education to operate the Oklahoma Parents as Teachers (OPAT) program.
- Section 1(A)(3): Directs the State Department of Education to operate a program of parent education, and eliminates the name Oklahoma Parents as Teachers from statute.
  - Note: The SDE will continue to support a similar program, but changing the name will allow for greater flexibility in implementation.
- Section 2: Contains language to update the program as it is currently being operated, clarifying the authority of the State Board of Education and the State Department of Education. It also eliminates the requirement for a contract with “a field operations center” to coordinate the program.
- Section 3(I): Directs the State Board of Education to ensure that the standards for early childhood education, defined as prekindergarten, are aligned with any newly adopted standards.

Should you have any questions related to this bill, please contact Dr. Rene Axtell, Asst State Superintendent for Special Education, at (405) 521-4873 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-162, 10-105.3, 11-103.7  
Helpful Statutory References: 70 O.S. 11-103.6a





# H.B. 1423

RE: H.B. 1423

SUBJECT: Agriculture Education

House Bill 1423 becomes effective July 1, 2015. This bill amends the transportation requirements for agriculture education programs.

- Current law requires local school districts to provide transportation services to and from **all** agriculture education programs funded by CareerTech and FFA program duties and activities.
- Section 1(C): Eliminates the words “to and from all,” resulting in flexibility for district transportation policies.
  - Note: While transportation is still required for traditional activities, it will not be required for **all** activities (i.e. out of state functions), as deemed appropriate by the district.

Note: H.B. 1423 and S.B. 50 both amend the same portion of law, 70 O.S. 14-108.2, and as such, should be read together.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 14-108.2





## **S.B. 183**

RE: S.B. 183

SUBJECT: Permissible Activity by Operator of Commercial Motor Vehicle

Senate Bill 183 becomes effective November 1, 2015. This bill addresses use of a hand-held mobile telephone while operating a commercial vehicle.

- Current law prohibits use of a cell phone to write, send or read a text message while the vehicle is in motion.
- Section 1(F)(10): Adds “operating a commercial motor vehicle while using a hand-held mobile telephone” to a list of other offenses that would disqualify any person from operating a Class A, B or C commercial vehicle.
  - It does allow for use of such devices when necessary to communicate with law enforcement or other emergency services.
  - “Operate” includes while temporarily stationary because of traffic, a traffic control device or other momentary delays. It does not include when the driver has moved to the side of the road and stopped in a safe location.
- Section 1(G): Changes the disqualification periods from 90 days to 180 days for first time violation of the initial disqualification period and from one year to two years for a second violation of the disqualification period within 10 years.
- Section 2(A): Prohibits use of a hand-held mobile telephone while operating a commercial motor vehicle except when necessary to communicate with law enforcement or emergency services.

Should you have any questions related to this bill, please contact Mr. Trent Gibson, Director of Transportation Services, at (405) 521-3472 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. 6-205.2, 11-901c





## S.B. 411

RE: S.B. 411

SUBJECT: Department of Public Safety Examiners

Senate Bill 411 becomes effective November 1, 2015. This bill allows the Department of Public Safety to implement a pilot program for using third-party examiners.

- Section 1: Directs the Department of Public Safety (DPS) to develop and implement a pilot program to evaluate the potential use of certified commercial truck driver training instructors employed by businesses involved in interstate or intrastate commerce to be certified third-party examiners. The pilot program will be limited to 10 businesses, begin no later than July 1, 2016, and last for two years.
  - No business can be established for such purpose and no person can act as an instructor or third-party tester unless they apply for and obtain a license from the Commissioner of Public Safety.
  - DPS is directed to adopt a curriculum to offer to those who qualify as a third-party tester.
  - Each business that is licensed as a third-party tester is required to pay an initial fee and renewal fee of \$5,000. Each person is required to pay \$2,500.
  - An annual complete nationwide criminal history background check is required.
  - DPS is to promulgate rules.
  - Note: Could provide additional testing opportunities for school bus drivers, which is a challenge for many school districts.

Should you have any questions related to this bill, please contact Mr. Trent Gibson, Director of Transportation Services, at (405) 521-3472 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

New Law at: 47 O.S. 6-110.4



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